

## Message Text

CONFIDENTIAL

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70

ORIGIN L-03

INFO OCT-01 ARA-06 EUR-12 IO-13 ISO-00 EB-07 COME-00

TRSE-00 AF-08 EA-07 NEA-10 SSO-00 NSCE-00 USIE-00

INRE-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 NSAE-00

NSC-05 PA-01 PRS-01 SP-02 SS-15 AID-05 FRB-03 XMB-02

OPIC-03 CIEP-01 LAB-04 SIL-01 OMB-01 JUSE-00 STR-04

/128 R

DRAFTED BY L:MBFELDMAN:BE

APPROVED BY L:MLEIGH

EB/IFD/OIA:EGCONSTABLE

IO:RDMOREY

TREASURY:JNIEHUSS(SUBS)

COMMERCE:JTSMITH,II(INFO)

----- 066046

O 292345Z JUL 76

FM SECSTATE WASHDC

TO USMISSION GENEVA IMMEDIATE

INFO USMISSION EC BRUSSELS IMMEDIATE

AMEMBASSY LIMA IMMEDIATE

USMISSION OECD PARIS IMMEDIATE

USMISSION USUN NEW YORK IMMEDIATE

C O N F I D E N T I A L STATE 188425

LIMA FOR AS;ISTANT SECRETARY LEWIS

E.O11652: GDS

TAGS: ECOSOC, EGEN

SUBJECT: 61ST ECOSOC - US PROPOSAL ON ILLICIT PAYMENTS

REFS: (A) GENEVA 6092; (B) GENEVA 5975

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1. DEPARTMENT UNDERSTANDS THAT USDEL HAS INTRODUCED U.S. DRAFT RESOLUTION (REF B). WE ALSO UNDERSTAND THAT G-77 MAY HAVE SOME FLEXIBILITY ON INFORMAL COUNTER-DRAFT (REF A) AND THAT CONTACT GROUP MAY MEET TOMORROW TO NEGOTIATE. WE ARE NOT SATISFIED WITH G-77 DRAFT RESOLUTION. WE HOPE YOU CAN NEGOTIATE SUFFICIENT CHANGES TO MAKE IT ACCEPTABLE TO U.S. BUT WISH TO RESERVE THE OPTION TO AVOID BRINGING THE MATTER TO A VOTE PENDING CONSIDERATION OF THE BEST TEXT NEGOTIABLE. OUR COMMENTS ON THE TEXT ARE SET FORTH BELOW.

2. (A) PREAMBLE: DELETE WORDS "ALL FORMS OF" IN SECOND PARAGRAPH AND DELETE THE FOURTH PREAMBULAR PARAGRAPH. THE FORMER LANGUAGE IMPLIES AN OPEN-ENDED DRAFTING EXERCISE. THE LATTER IS NOT GERMANE AND RAISES FAMILIAR PROBLEMS.

(B) THE OPERATIVE PARAGRAPHS ARE ACCEPTABLE PROVIDED YOU CAN SUCCEED IN MODIFYING KEY PARAGRAPH 1(A) TO INSURE THAT MANDATE OF WORKING GROUP WILL INCLUDE DRAFTING AN AGREEMENT ON ILLICIT PRACTICES AND WILL NOT ENCOMPASS EXTRANEIOUS SUBJECTS SUCH AS RBP'S OR POLITICAL ISSUES SUCH AS DESTABILIZATION OF GOVERNMENTS. WE WOULD NOT OBJECT TO GENERAL LANGUAGE IN PREAMBLE OR IN SEPARATE OPERATIVE PARAGRAPH CALLING UPON MEMBER STATES TO COOPERATE TO ELIMINATE ALL CORRUPT PRACTICES PROVIDED THE MANDATE OF THE WORKING GROUP IN RESPECT OF A BINDING INTERNATIONAL AGREEMENT IS RESTRICTED TO PAYMENTS MADE IN CONNECTION WITH COMMERCIAL TRANSACTIONS WITH GOVERNMENTS. THE LANGUAGE HIGHLIGHTING THE ROLE OF TNE'S IS TROUBLESOME BUT ACCEPTABLE IF BALANCED BY APPROPRIATE REFERENCE TO GOVERNMENTS OR GOVERNMENT OFFICIALS.

(C) WE WOULD LIKE TO RETAIN PARA 3(B) (REF A) BUT YOU ARE AUTHORIZED TO NEGOTIATE ITS DELETION IN EXCHANGE FOR REVISIONS IN PARA 1(A). KISSINGER

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** AGREEMENT DRAFT, BRIBERY, CORRUPTION, INSTRUCTIONS, COMMITTEE MEETINGS, RESOLUTIONS, MULTINATIONAL CORPORATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 29 JUL 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** ShawDG  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976STATE188425  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** MBFELDMAN:BE  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D760293-1252  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
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**Legacy Key:** link1976/newtext/t1976077/aaaaagdo.tel  
**Line Count:** 95  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN L  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 76 GENEVA 6092, 76 GENEVA 5975  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** ShawDG  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 05 APR 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <05 APR 2004 by greeneet>; APPROVED <12 AUG 2004 by ShawDG>  
**Review Markings:**

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US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
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**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** 61ST ECOSOC - US PROPOSAL ON ILLICIT PAYMENTS  
**TAGS:** EGEN, EINV, US, ECOSOC  
**To:** GENEVA  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006